

REMARKS

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraphs 1 through 3 of the Office Action

Claims 7 and 8 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Enk et al. in view of Thomas.

Claims 9 through 11 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Enk et al. in view of Thomas as applied to claims 7 and 8 above, further in view of Burnsicke.

The requirements of claim 8 have been incorporated into the recitation of claim 7, and therefore claim 8 has been cancelled. Since claim 8 originally depended from claim 7, this is the equivalent of rewriting claim 8 into independent form, and therefore no new issues of patentability have been raised.

Claim 7, particularly as amended, requires "wherein said plurality of heat and impact sensors include side heat and impact sensors disposed in side panels of a body of said airplane, and rear heat and impact sensors disposed about a gas tank of said airplane".

The Office Action states that "[I]t would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the fir extinguisher system of Thomas with the heat and impact sensors which are disposed in side panels and gas tank, since it has been held that rearranging parts of an invention involves only routine skill in the art" (citation omitted). However, both the Enk and Thomas references are silent as to any positioning of the sensors on the air plane, and therefore it is submitted that one cannot "rearrange" any disclosed

positioning of the sensors as taught by the Enk and Thomas patents because they do not teach any positions to be rearranged. It is submitted that the prior art would have to teach some type of obviously equivalent positions for the argument of rearrangement of positions to be advanced. Here the prior art does not supply any positions for the sensors, and therefore it is submitted that the prior art could not lead one skilled in the art to the applicant's claimed positioning of the sensors.

Withdrawal of the §103(a) rejections of claims 7 and 9 through 11 is therefore respectfully requested.

Paragraph 3 of the Office Action

Claims 1 through 6 have been allowed.